

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:08cr112

UNITED STATES OF AMERICA

vs.

VICTOR DOMINGO AMASHTA ABUSADA

ORDER

THIS MATTER is before the Court upon motions of the defendant pro se asking for the return of property seized by the government during the investigation of this case. (Doc. Nos. 35, 38).

In the defendant's first motion, he asserted that "[a]ll litigation in this case has been completed." (Doc. No. 37 at 1). Since that time, he has filed a Motion to Vacate pursuant to 28 U.S.C. § 2255 that is still pending. (Doc. No. 39; Case No. 3:10cv295). Thus, the Court finds that it would be inappropriate to order the return of any property relevant to this case at this time.

IT IS, THEREFORE, ORDERED that the defendant's motions are DENIED without prejudice to be re-filed at the conclusion of the litigation of this matter.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, the United States Attorney, and the Clerk of the United States Court of Appeals for the Fourth Circuit.



Robert J. Conrad, Jr.
Chief United States District Judge

